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Attorneys for Defendant
FACEBOOK, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SAMBREEL HOLDINGS LLC; YONTOO LLC;
and THEME YOUR WORLD LLC,

Plaintiffs,

vs.

FACEBOOK, INC.,

Defendant.

CASE NO. 12-CV-00668-CAB-KSC

**DEFENDANT FACEBOOK, INC.'S
NOTICE OF MOTION AND MOTION
TO DISMISS COMPLAINT PURSUANT
TO FEDERAL RULES OF CIVIL
PROCEDURE 12(B)(3) AND 12(B)(6)**

Judge: Hon. Cathy Ann Bencivengo
Hearing Date: June 22, 2012
Hearing Time: 2:30 p.m.
Dept.: Courtroom 2

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that on June 22, 2012 at 2:30 p.m., in the Courtroom of the Honorable Cathy Ann Bencivengo, Defendant FACEBOOK, INC. will and hereby does move to dismiss Plaintiffs' Complaint pursuant to Federal Rules of Civil Procedure 12(b)(3) and 12(b)(6). Defendant requests that this Court dismiss the Complaint for improper venue and for failure to state a claim under the antitrust laws. This request is based on this Notice of Motion; the accompanying Memorandum of Points and Authorities; the declarations of Craig Clark and Chris Palow; argument of counsel at the hearing; the papers and records filed herein; and such further matters as this Court may consider.

Defendant also has pending an *Ex Parte* Application For An Expedited Rule 16 Scheduling Conference And An Order For Expedited Briefing and Discovery, in which it seeks an accelerated briefing schedule and hearing on its Motion to Dismiss. *See* Doc. No. 10. Upon this Court's resolution of the Application, Defendant may submit a revised Notice for this Motion reflecting a new hearing date as needed.

DATED: April 4, 2012

Respectfully submitted,

KIRKLAND & ELLIS LLP

/s/ James F. Basile

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FACEBOOK, INC.

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2012, I electronically filed the foregoing **DEFENDANT FACEBOOK, INC.'S NOTICE OF MOTION AND MOTION TO DISMISS COMPLAINT PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(B)(3) AND 12(B)(6)** with the Clerk of the court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the Court's Electronic Mail Notice List.

/s/ James F. Basile
James F. Basile